

KIRKLEES METROPOLITAN COUNCIL INVESTMENT & REGENERATION SERVICE

DEVELOPMENT MANAGEMENT

Town and Country Planning Act 1990 (as amended) – SECTION 96A

DELEGATED DECISION TO DETERMINE APPLICATIONS FOR NON-MATERIAL AMENDMENTS

Reference No: **2026/NM/90744/W**

Site Address: adj, 42, Long Croft Street, Golcar, Huddersfield, HD7 4EA

Description: Non material amendment to previous permission 2025/92628 for erection of dwelling and associated works (within a Conservation Area)

Recommending Officer: John Holmes

DECISION – Non-Material Amendment - Approved

I hereby authorise the approval of this application for the reasons set out in the officer's report and recommendation annexed below in respect of the above matter.

Kirsty Nicholls

AUTHORISED OFFICER

Date: 13-Apr-2026

Application no: 2026/90744

Land adjacent 42, Long Croft Street, Golcar, Huddersfield, HD7 4EA

THE SITE

The application site relates to a piece of land to the eastern side of the dwelling of No. 42 Long Croft Street, which currently serves No. 42. The site currently hosts two structures (garage and car port) and serves as garden / amenity space. The topography of the site results in the land level dropping to the rear. The site is situated on a residential road whereby the opposite side of the road to No.42 is relatively uniform but the properties on the side which No.42 is on varies in terms of style. A railway line is located to the rear of the site. The application site is located within the Golcar Conservation Area.

THE PROPOSAL

The application is seeking a non material amendment to permission 2025/92628 which granted planning permission for the erection of a dwelling and associated works (within a Conservation Area).

The proposed amendment would see a reduction in the width of the dwelling.

Submitted plan 010revC details the amendments with the front windows being amended from two separate single pane windows, to one three pane window.

Submitted plan 003revC sets out that there would be a widening of the driveway to the eastern side of the dwelling and there would be a slight re siting of the bin storage area to front and stairway / retaining wall structures to the rear.

Submitted plan 005revB sets out the altered boundaries and layout to reflect those detailed in submitted plan 003revC.

Submitted plan 004revB sets out the altered drainage arrangements for foul and surface water to reflect those detailed in submitted plan 003revC.

PLANNING HISTORY

The most relevant planning history relates to the following planning application:

2025/92628: Erection of dwelling and associated works (within a Conservation Area): Conditional Full Permission granted on 15th December 2025

Where relevant the consideration and conclusions of the [case officer report](#) of application 2025/92628 is referred to within the consideration of this application seeking non material amendment.

The scheme approved on 15th December 2025 is referred to within this report as the approved development.

CONSULTATIONS

None

ALLOCATION AND POLICIES

In the determination of the following the following was set out in relation to allocations and policies of relevance:

The application site is located within the Golcar Conservation Area.

The application site is located within the River Colne Corridor Strategic Green Infrastructure Network and within an area with a known presence of bats.

On the Statutory Sewer Map, there is a 225mm diameter public combined sewer recorded to cross the site.

The site is within an area identified by the Coal Authority as being at low risk of ground movement as a result of former mining activity.

Kirklees Local Plan:

- LP1 – Achieving Sustainable Development
- LP2 – Place Shaping
- LP3 – Location of New Development
- LP7 – Efficient and Effective Use of Land and Buildings
- LP20 – Sustainable Travel
- LP21 – Highway Safety
- LP22 – Parking Provision
- LP24 – Design
- LP28 – Drainage
- LP30 – Biodiversity and Geodiversity
- LP31 – Strategic Green Infrastructure Network
- LP35 – Historic Environment
- LP51 – Protection and Improvement of Local Air Quality
- LP52 – Protection and Improvement of Environmental Quality
- LP53 – Land Quality

National Policies and Guidance:

National planning policy and guidance is set out in National Policy Statements, primarily the National Planning Policy Framework (NPPF) published December 2024, the Planning Practice Guidance Suite (PPGS) first launched 6th March 2014 together with Circulars, Ministerial Statements and associated technical guidance.

The NPPF constitutes guidance for local planning authorities and is a material consideration in determining applications.

- Chapter 2 – Achieving Sustainable Development
- Chapter 4 – Decision-Making
- Chapter 5 – Delivering a Sufficient Supply of Homes
- Chapter 8 – Promoting Healthy and Safe Communities
- Chapter 9 – Promoting Sustainable Transport
- Chapter 11 – Making Efficient Use of Land
- Chapter 12 – Achieving Well-Designed Places
- Chapter 14 – Meeting the Challenge of Climate Change, Coastal Change and Flooding
- Chapter 15 – Conserving and Enhancing the Natural Environment
- Chapter 16 – Conserving and Enhancing the Historic Environment

Other Material Considerations:

- Kirklees Highways Design Guide SPD (2019)
- Waste Management Design Guide for New Developments (Version 5, October 2020)
- Kirklees Biodiversity Net Gain Technical Advice Note (2021)
- Kirklees Housebuilders Design Guide SPD (2021)

Insofar as the amendments relate to matters which affect the consideration of the above policies, these are discussed within the 'Assessment' section of this report.

ASSESSMENT

The application will be assessed having regard to S96A of the Town & Country Planning Act 1990: "In deciding whether a change is material, a Local Planning Authority must have regard to the effect of the change, together with previous changes made under this section, on the planning permission as originally granted" and the Council's Protocol for dealing with non-material amendments.

With regard to the protocol for non-materials amendments, paragraph 2.3 sets out four key tests for assessing the acceptability of proposed changes to the approved scheme. These are as follows:

Is the proposed change inconsequential in terms of its scale (magnitude, degree etc.) in relation to the original approval?

In the Authority's view would the proposed change result in a detrimental impact either visually or in terms of living conditions?

The proposal would see the alteration of the scheme to a minor degree. The alteration to the dwelling would not affect the visual appearance / impact upon

the setting of the Conservation Area to an extent that it is materially different to the originally approved development.

Whilst there would be an alteration to the fenestration detail this is not considered to lead to the conclusion that the alterations would be materially altered.

Similarly, the size and scale of the dwelling would still ensure a development which complies with the nationally prescribed space standards.

The proposals, when considered against the policies set out in sections 2 and 3 of the case officer report of the approved development are concluded to remain satisfactorily adhered to by the revised scheme the subject of this application.

In the Authority's view would the interests of a third party or body who participated in or were informed of the original decision be disadvantaged in any way?

It is noted that 7 objections were received during the course of the application for the approved development. These were taken into account and fully addressed within the case officer report. Having cognisance of the content of the objections, and the minor nature of the amendments the subject of this application, it is considered that the same conclusions be drawn in light of the proposed amended scheme as were drawn in the determination of the approved development. It is therefore considered that no third party would be disadvantaged in the event of any approval of the proposed amendment.

In the Authority's view would the amendment be contrary to any policy of the Council?

Policies relevant to the consideration of this application are set out in the case officer report of the approved development, and repeated earlier in this report for completeness. It is not considered necessary to repeat, in full, the policies set out in section 2 and 3 of the case officer report. These are the policies considered most applicable in assessing the amendment the subject of this application and are considered to remain adhered to by the proposed amendment the subject of this application.

In considering the above, the following factors are relevant:-

- The proposed changes to the permitted scheme must not result in the development falling outside the description of the development as set out on the Decision Notice e.g. by seeking to add a pitched roof to an extension described on the Notice as a 'flat roof' extension.

The description of development of the approved development is 'erection of dwelling and associated works' and the proposed amendments remains within the confines of this description.

- The proposed change must not contravene any condition attached to the original permission.

The proposal would see plans referred to which update those as approved and referenced within the decision notice. These would be read as being an 'either / or' option in the event of any approval where either the approved development or the non material amendment would need to be adhered to.

- The proposed change should not require a further restriction to make it acceptable (e.g. an amendment seeking to introduce a window which would only be acceptable if it is kept obscurely glazed.)

No additional condition or restrictions are considered to be required in the event of any approval.

- The proposed change would not result in any material increase in height, scale, width or depth of a building.

The proposal would see a decrease which is considered to be at a scale that is not material in terms of its impact.

- The proposed change would have been likely to have been approved had it formed part of the original application.

It is considered the scheme the subject of this application seeking non material amendment would have met with the same recommendation and resultant determination had it formed the scheme as proposed.

CONCLUSION

The proposal is considered to be a non material amendment to the approved development and approval is therefore recommended.

DECISION NOTICE LETTER:

The amendments shown on drawing No's. 010revC, 003revC, 005revB & 004revB are considered appropriate to be regarded as a non-material amendment to the previous planning approval 2025/92628

